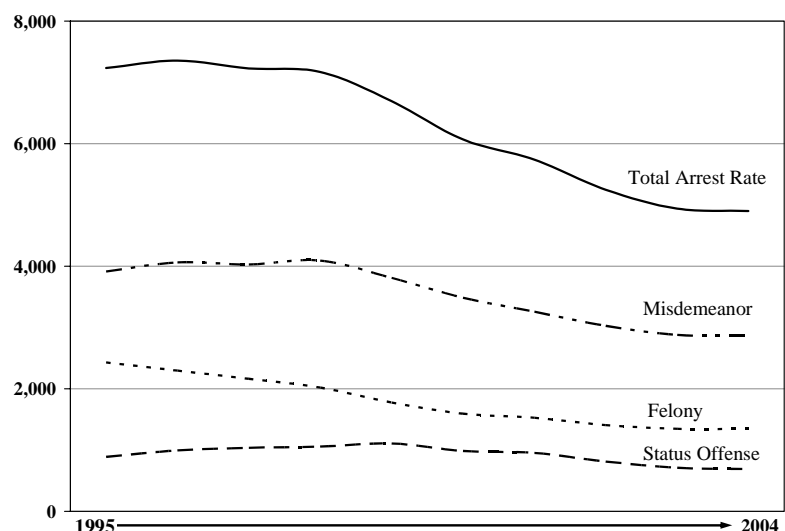


California Juvenile Delinquency Data

This research update provides an annual summary of the most recent California juvenile delinquency statistics available.

Arrests

In 2004, there were 218,146 juvenile arrests, or 4,901 per 100,000 Californians ages 10 to 17. That rate marks a 32% decline in juvenile arrests over the previous ten years (from 7,234 arrests per 100,000 in 1995), taking into account the population increase in youth aged 10 to 17 years old in California over the decade (see chart at right). This decline is observed for all offense rates—felony, misdemeanor, and status offenses. The felony arrest rate had a 10-year decline of 45% (from 2,431 to 1,345) and the misdemeanor offense rate decline began in 1999 but was quite steep accounting for a 27% decline in the arrest rate in that category over 10 years (from 3,914 to 2,866). The absolute decline in arrests over the decade was 17%.



In 2004, 27% of the most severe arrest charges were felonies, 58% were misdemeanors, and 14% were status offenses.¹ This represents a 20% decline in felony arrests from 1995, when 34% of the most severe arrest charges were felonies.

Female youth composed 27% of the juvenile arrestee population in 2004. The age at arrest was 12 or younger for 7% of all juvenile arrests. Hispanic youth were 47% of the 2004 juvenile arrestees, white youth were 30%, black youth were 18%, and other racial and ethnic groups together were 7%.

Case Processing

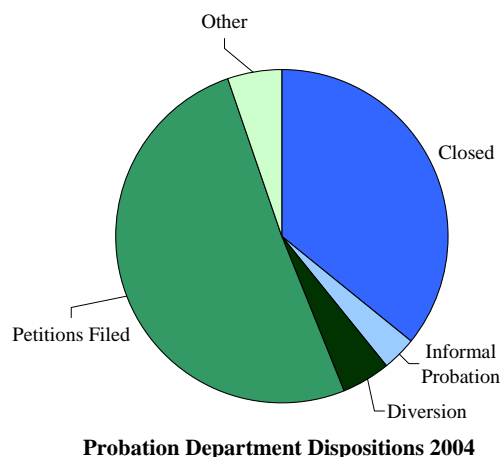
Once arrested, the path a juvenile may follow through the juvenile justice system to final disposition varies greatly. The law enforcement agency involved may refer the juvenile to the probation department, counsel and release him or her, or turn the juvenile over to another law enforcement jurisdiction. The law enforcement agency may also refer the juvenile offender to the district attorney for direct filing in adult court.

¹ When multiple charges are made in a single arrest, the arrestee is characterized by the most severe arrest charge. Numbers do not add to 100 because of rounding.

Referrals to Probation Departments

Typically, referrals are made to probation departments in the juvenile's county of residence. The majority come from police and sheriff's departments (88% in 2004), with the remainder coming from other sources such as public agencies or individuals, transfers from other counties or states, and other sources, or from schools, parents, or private agencies and individuals.

Probation departments decide how to process referred cases. A case may be closed or transferred, a juvenile may be placed on informal probation or in a diversion program, or a petition may be sought for a court hearing. In 2004, 60,942 or 36% of all referred cases were closed at intake, whereas 86,283 or 51% went on for a formal petition filed in juvenile court (see chart at right). The remaining cases resulted in informal probation (5,444 or 3%), diversion (7,881 or 5%), or other probation dispositions such as transfer to another jurisdiction, deportation, direct file in adult court, or traffic court (9,131 or 5%).



Female youth composed 24% of the juveniles referred in 2004. The age at referral was 13-years old or younger for 11% of all juveniles referred to probation departments. Hispanic youth were 43% of the 2004 juvenile referrees, white youth were 30%, black youth were 19%, and other racial and ethnic groups together were 9%.²

Court Cases

In 2004, the Judicial Branch Statistical Information System (JBSIS) recorded 91,669 filings, of which 61,637 were original delinquency filings, 28,653 were subsequent delinquency filings, 1,265 were original status-offense filings, and 114 were subsequent status-offense filings. (Subsequent filings alter or enhance the original charge and are not always reflective of a separate alleged offense, although they will be disposed of separately from the original filing. Original filings are more representative of alleged offenses.)³ The 2004 total original filings of 62,902 represent a 3% drop in caseload since 1995. The proportional mix of delinquency and status-offense cases remained fairly constant. About 1–3% of the juvenile filings are for status-offense cases each year, although they compose about 14% of juvenile arrests.

An average of 86 juvenile cases were disposed of for every 100 original filings in any given year over the last decade.⁴ The year-to-year deviation from that average has been small. However, the relationship between delinquency arrests and original filings has increased by 18% over the last 10 years, from 28% of delinquency arrests brought to juvenile court in 1995 to 33% of juvenile delinquency arrests being brought to juvenile court in 2004.

Juvenile Court Dispositions

Of probation's 86,283⁵ petitions filed in juvenile court, female youth were 20% of the juveniles when cases

² Numbers do not add to 100 due to rounding.

³ Subsequent delinquency case types are based on a petition filed by the district attorney that a ward of the court has committed additional acts that have violated codes or statutes. Subsequent status offense case types are based on a petition filed by the probation officer alleging that a ward of the court has committed additional status offense acts, such as truancy.

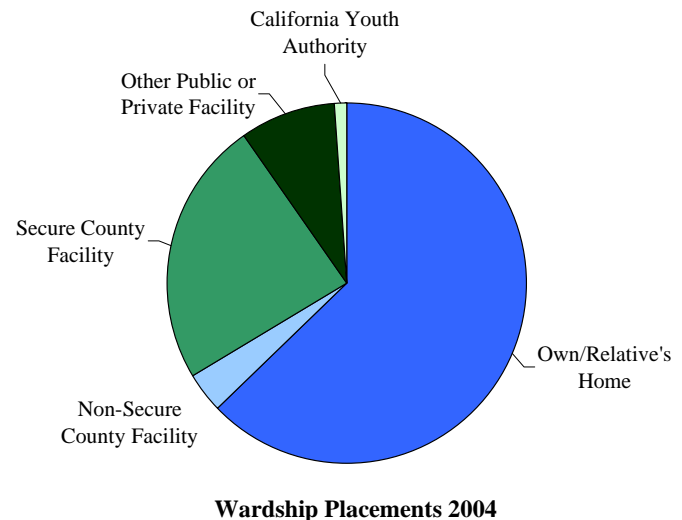
⁴ Cases may be disposed of in the year they are filed or in subsequent years.

⁵ Differences between the number of JBSIS filings and probation petitions are due in part to the number of counties reporting to each system, 3 counties did not report juvenile filings to JBSIS in 2004 and 6 counties did not report to the probation department's statistical information system.

were disposed of in 2004. The age at disposition was 13-years old or younger for 8% of all juvenile dispositions. Hispanic youth were 45% of the 2004 juvenile dispositions, white youth were 28%, black youth were 20%, and other racial and ethnic groups together were 7%. A total of 96% of juveniles had some form of defense representation at the disposition of their case, such as private counsel, court-appointed counsel, or a public defender.

The majority of cases with a formal hearing, 55,129 out of 86,283, or 64%, resulted in the juvenile's being made a ward of the court (including the less than 1% of total juvenile hearings resulting in a sentence to the California Youth Authority). Approximately 20% of the court dispositions were dismissals, 6% received informal probation, 4% non-ward probation, 3% transferred to another jurisdiction, 3% deferred entry of judgment, and less than 1% received other sentences. A portion of the latter 1% includes juveniles who were transferred to the adult criminal justice system for prosecution (see the "Juveniles in Adult Court" section below).

Most wards (62.8% out of the 55,129 in 2004) were allowed to go home under the supervision of the probation department (see chart at right). Almost a fourth of the wards were placed in a secure county facility such as a juvenile hall, 3.6% in a non-secure county facility, and 8.5% in other public or private facilities. Only slightly more than 1% of wards entered the California Youth Authority.



A comparison of referrals to probation and dispositions in juvenile court shows that older children are 50% more likely to have their probation case result in a juvenile court disposition than are younger children referred to probation. In 2004, 53% of the cases of 150,924 juveniles age 14 or older referred to probation departments were disposed of in juvenile court, whereas 35% of the cases of referred juveniles aged 13 and younger were disposed of in juvenile court. Male youth are 28% more likely than their female counterparts to have a referral to probation disposed of in juvenile court (54% of males' probation referrals are disposed of compared to 42% of females). Black youth referred to probation had their cases disposed of 55% of the time, followed by Hispanic youth (53%) and white youth (47%). Other racial and ethnic groups together saw their cases disposed of 44% of the time. Differences between referrals to probation compared to dispositions in juvenile court may be due, in part, to the seriousness of the offense committed, history of violations, or other factors.

Probation

In 2002,⁶ the state's juvenile probation caseload was 81,872, of which 80% were formal probation cases, 15% were informal probation cases, and 4% were non-ward probation cases. These proportions have remained constant over the past decade. In addition to these cases, the probation department also oversees cases given a deferred entry of judgment and diversion cases, of which there were 3,922 and 16,185, respectively, in 2002. Females make up 22% of all cases overseen by the department.

⁶ 2002 is the last year for which reliable data on probation referrals is available for each county.

The number of probation cases in 2002 fell 16% from 97,187 in 1996 (the earliest year for which comparable figures are available). Once adjusted for population growth, however, probation figures fell by 28%: out of 100,000 youth 10–17 years old, 1,871 were on probation in 2002 compared to 2,607 in 1996.

Among youth on formal probation, 8,359 were in foster care in 2002. Between 2000 and 2002, youth on probation in foster care have increased by 7%.

A 2002 survey of chief probation officers in California showed that 36 of 52 responding counties offered a total of 89 probation services that they considered compatible with balanced and restorative justice principles (see chart at right). Mediation and peer court are restorative justice innovations that have been the most widely adopted.

Restorative Juvenile Probation Services

25	Mediation or conferencing
15	Peer court
15	Boards
14	Community law enforcement
14	Victim expression
4	Victim impact panels
2	Other
89	Total

Detention

Depending on the seriousness of the crime and other factors, a ward who is detained may be sentenced to serve some or all of his or her sentence in either the local or the statewide system.

Board of Corrections

The Board of Corrections oversees all local juvenile detention placements, including juvenile halls, camps, and other placement options, such as home detention. The average daily population (ADP) in 2004 was 13,176 juveniles, with 49% in juvenile halls, 31% in camps, and 19% in other placements. The board-rated capacity (BRC) of both juvenile halls and camps in 2004 was 12,581, with 59% of the placements available in juvenile halls. Female youth were 16% of the juvenile custody population in 2004, a 23% increase since 1999. Juveniles aged 14 years old or younger comprised 15% of the population in juvenile halls, and 7% of those in camps. The ADP has decreased by 8% since 1999, whereas the BRC has increased by 10%, part of which may be explained by the increase in the female population in custody and thus the need for altered placement options.⁷ The average length of stay was 21 days in juvenile halls.

California Youth Authority

In 2004, 891 youth were committed to the California Youth Authority (CYA). A very large majority of these commitments were ordered by the juvenile court (94%); the rest of the youth were ordered by criminal court to serve some or all of their detention time at the CYA. In 2004, the juvenile court committed 25 per 100,000 California youth to the CYA. The rate of commitment is slightly less than one-quarter of what it was in 1995, when it was 107 commitments per 100,000 juveniles.

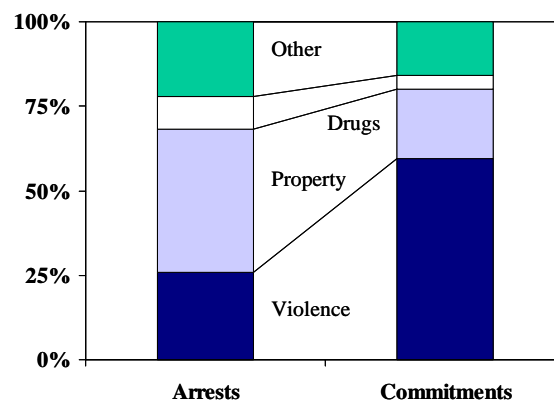
Females made up 5% of the population committed in 2004, which, while small, represents a 34% increase since 1995. The racial and ethnic composition of the 2004 commitments was 14% white, 51% Hispanic, 28% black, 5% Asian, and 3% other.⁸ The average age at admission was 17.2 years in 2004; that number has remained constant over the decade.

Some offense types are more likely to lead to a CYA commitment than other types. Youth charged with violent crimes are more likely to be committed than are youth involved in property, drugs, or other charges

⁷ The board-rated capacity does not include other placement options such as home detention, thus the higher ADP does not necessarily indicate that there was overcrowding. In addition, a construction and replacement program which was begun in 1997 and is scheduled to be completed in 2007, will continue to increase the BRC.

⁸ Numbers do not add to 100 because of rounding to rounding.

(see chart at right). Violent charges were 26% of juvenile felony arrest charges and 60% of primary commitment charges in 2004. Property offenses were 42% of felony arrest charges and 21% of commitment charges while drugs were 10% of felony arrest charges and 4% of primary commitment charges. The rate of violent felony arrests has remained steady at an average of 26% over the last 10 years.



Juveniles in Adult Court

Juveniles may be referred to the adult criminal justice system in two ways: either they are transferred from the juvenile court or the District Attorney files the case directly in the adult criminal court. Direct filings are required for specific felony offenses, whereas transfers from juvenile court (by means of a failed “fitness hearing”)⁹ are made for a variety of both felony and misdemeanor crimes. There were a total of 535 transfers to the adult system in 2004, while 1,590 dispositions have been recorded; the additional 1,055 are cases that were filed in a previous year, as cases may be disposed of in a subsequent year. Two-thirds of the 1,590 cases resulted in a conviction. Only 0.2% of all juvenile arrests were transferred to adult court in 2004.

In 2004, district attorneys referred a total of 283 juveniles directly to adult court, of whom 268 (95%) were male and 256 (90%) were 15–17 years old¹⁰ at the time of referral. The racial and ethnic composition of the 2004 direct files was 8% white, 53% Hispanic, 27% black, 8% Asian, and 4% other.

Fitness hearings were ordered for 360 juveniles in 2004. Over two-thirds (252) were found unfit for the juvenile court process and were transferred to the adult court system. Of the 21 females who underwent a hearing, fewer than half (9 out of 21) were found unfit and transferred to the adult court system, compared to almost three-quarters of males (243 out of 339). Two-thirds of the juveniles found unfit to remain in juvenile court were aged 15–17.¹¹ The racial and ethnic composition of the 252 juveniles who failed a fitness hearing and were remanded to adult court in 2004 was 16% white, 55% Hispanic, 24% black, 3% Asian, and 2% other.

⁹ A fitness hearing is a hearing to determine whether the juvenile is a fit and proper subject to be dealt with under juvenile court law. If the juvenile is found fit, adjudication remains in the juvenile court. If the juvenile is found unfit, adjudication is transferred to the adult court Welf. & Inst. Code, §707(b)).

¹⁰ If someone under age 18 is suspected of committing a crime but is arrested after turning age 18, he or she will still be prosecuted under the purview of the juvenile court system.

¹¹ The majority of the remaining youth who failed a fitness hearing fell under the condition explained in footnote 10 and were processed after turning age 18. Only 6 youth under age 15 (all age 14) failed a fitness hearing, or 3% of the total.

About the California Juvenile Statistical Abstract

The California Juvenile Statistical Abstract, a project of the AOC's Center for Families, Children & the Courts, is a compilation of reliable, representative statistical data about children and families involved in the courts and with related institutions. It is available on the Internet in PDF format.

This *Research Update* is one of a series that summarize data from the abstract.

Data Sources

Administrative Office of the Courts, Center for Families, Children & the Courts. 2002 balanced and restorative justice survey (unpublished).

Administrative Office of the Courts, Executive Office Programs. (2001 and 2005). Collaborative Justice Survey.

California Department of Finance. (2004, May). *Race/ethnic population with age and sex detail, 1990–1999 and 2000–2050*. Sacramento, CA.

California Department of Corrections and Rehabilitation, Division of Juvenile Justice. (n.d.). *A comparison of the youth authority's institution and parole populations: June 30 each year, 1993–2004*. Retrieved December 2005 from the Division of Juvenile Justice Web site: http://www.cdcr.ca.gov/ReportsResearch/research_tips.html.

California Department of Corrections and Rehabilitation, Division of Juvenile Justice. (n.d.). *First commitment characteristics: calendar year 2004*. Retrieved November 2005 from the Division of Juvenile Justice Web site: http://www.cdcr.ca.gov/ReportsResearch/research_tips.html.

California Department of Justice, Criminal Justice Statistics Center. Retrieved November 2004. *California criminal justice profiles 2001, 2002, and 2003*.

California Department of Justice, Criminal Justice Statistics Center. (n.d.). *Juvenile justice in California 2002, 2003, and 2004*.

California Department of Justice, Criminal Justice Statistics Center. (2003). *Juvenile probation caseloads, 1996–2003*.

Judicial Council of California, Administrative Office of the Courts. Retrieved November 2005 from *Judicial Branch Statistical Information System*. Web site: <http://jbsis.courts.ca.gov/> (restricted access site).

Needell, B., Webster, D., Cuccaro-Alamin, S., Armijo, M., Lee, S., Lery, B., Shaw, T., Dawson, W., Piccus, W., Magruder, J., Kim, H., Conley, A., Henry, C., Korinek, P., Paredes, C., & Smith, J. (2004). *Child welfare services reports for California*. Retrieved January 2006 from University of California at Berkeley Center for Social Services Research Web site: <http://cssr.berkeley.edu/CWSCMSreports>.

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The CFCC generates and distributes research-based information that has promise for informing the work of family court services in California and nationwide. To learn more about its work and to see more *Research Updates*, visit www.courtinfo.ca.gov/programs/cfcc/.

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